

EXHIBIT T

**FCC LETTER OF
JUNE 12, 1990
TO
M. M. GROUP, INC.**

239

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JUN 11 10 53 AM '90
JUN 12 1990

IN REPLY REFER TO:

9020-010

EXHIBIT U

FCC NOTICE OF APPARENT LIABILITY

TO

M. M. GROUP, INC.

JUNE 22, 1990

FROM FCC CHICAGO REGION

TO

ADMIN OFFICE P.02

22 JUN 1990

CERTIFIED MAIL NO. P 363 392 063

1550 Northland Highway Room 306

Pursuant to Section 308(b) of the Communications Act of 1934, as amended, you are required to reply with either substantial evidence that all violations listed have been corrected or with explanation of what corrective action you initiated. Submit your correction/repair statement within 30 days of your receipt of this Notice. Include what you have done to prevent continuation or recurrence of the violations. Corrective measures taken will not effect mitigation of the original Apparent Liability. Do not

THE FOLLOWING IS A NOTICE OF OTHER RADIO STATION CONDITIONS
A WRITTEN RESPONSE IN DUPLICATE TO THE ITEMS INDICATED BELOW IS REQUIRED

1. 47 CFR 73.1125(b)(1) - Failure to notify the FCC upon relocating the main studio.
2. 47 CFR 73.1201 - Failure to properly broadcast the station identification. The station call letters must immediately be followed by the community of license.
3. 47 CFR 73.1250 - Failure to make available or have posted a copy of the station license.
4. 47 CFR 73.1410 - Failure to calibrate the remote control equipment. At the time of inspection, the remote control P.V. reading differed by 5.53 from the regular P.V. meter.
5. 47 CFR 73.1615 - Failure to operate with temporary facilities to maintain the program service of the presently licensed coverage area.
6. 47 CFR 73.1620 - Failure to apply for a license requesting program test authority. Also, an antenna proof of performance must be filed with the request. Submit a copy of the proof to this office when completed.
7. 47 CFR 73.1820(a)(1)(iii) - Failure to log each test of the FSS.

WARNING: Violations if repeated or willful, as well as your failure to

EXHIBIT V

FCC NOTICE OF FORFEITURE

TO

M. M. GROUP, INC.

JULY 27, 1990

06/02/93 11:58

Jun 02,93 15:57 JUTJ+ S 9 W TluM(zXbJl s-^ yS :M#/cb * p aTWmUA P.05

JUN-02-1993 10:12 FROM FCC CHICAGO REGION TO COMM ROOM P.05
27 JUL 1990

REGISTERED MAIL NO. P 337 737 169
RETURN RECEIPT REQUESTED

1550 Northwest Highway, Room 306
Park Ridge, Illinois 60068

N & M Group, Inc.
Licensee WCFL
1804 North Division
Room 403
Morris, Illinois 60450

Refer to: 3153301-90052
96-CG-119

Re: Notice of Apparent
Liability to Monetary
Forfeiture dated
June 22, 1990

Gentlemen:

You are hereby ordered to pay a Forfeiture of \$3800. This is in full
payment of the Forfeiture incurred by you for operation of Station WCFL.

EXHIBIT W

**FCC LETTER OF
MARCH 1, 1991
TO
M. M. GROUP, INC.**

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

MAR 01 1991

IN REPLY REFER TO:

8920-MJF

Mr. Mark S. Litton
M.M. Group, Inc.
Radio Station WCFL(FM)
1150 Morse Road, #300
Columbus, OH 43229

In re: WCFL(FM), Morris, Illinois
M.M. Group, Inc.
STA

Dear Mr. Litton:

This is in reference to (i) your attorney's letter dated July 25, 1990 requesting a special temporary authority (STA) for WCFL(FM) to operate for 90 days with the facilities specified in construction permit BPH-8902171C, which was granted on March 27, 1990, except with the effective radiated power reduced to 11 kilowatts, (ii) the Commission's letter dated June 12, 1990, (iii) your attorney's letter dated June 11, 1990, and (iv) the Commission's letter dated June 11, 1990.

By way of background information, it was brought to our attention that WCFL(FM) commenced program test authority (PTA) but did not file a license application.

As of the date of this letter, there has been no application for license, FCC Form 302, filed to cover construction permit BPH-8902171C and there has been no further STA requests. The 90 day STA time period you requested in your July 25, 1990 letter has long past. Therefore, we assume that WCFL(FM) has resumed operation at its licensed facilities (File no. BLH-871023KD). Accordingly, the above-captioned special temporary authority request IS HEREBY DISMISSED as moot. If you are not operating pursuant to your licensed facilities, WCFL(FM) must notify the Commission in writing within five (5) days of the date of this letter and provide a detailed explanation why WCFL(FM) is not operating pursuant to its licensed facilities or why the application for license, FCC Form 302, was not filed as required by 47 C.F.R. § 73.1620 and the Commission letter dated June 12, 1990.

Sincerely,



Dennis Williams
Chief, FM Branch
Audio Services Division
Mass Media Bureau

cc: Haley, Bader & Potts
EIC, Chicago, IL

EXHIBIT X

**FCC LETTER
GRANTING SPECIAL TEMPORARY AUTHORIZATION**

MARCH 28, 1991

FCC MAIL SECTION
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

MAR 28 1991
APR 1 12 54 PM '91

DISPATCHED BY

IN REPLY REFER TO:

8920-MJF

Mr. Mark S. Litton
M.M. Group, Inc.
Radio Station WCFL(FM)
1150 Morse Road, #300
Columbus, OH 43229

In re: WCFL(FM), Morris, Illinois
M.M. Group, Inc.
STA

Dear Mr. Litton:

This is in reference to your attorney's letter dated March 12, 1991 requesting a special temporary authority (STA) for WCFL(FM) to operate for 90 days with the facilities specified in construction permit BPH-890217IC except with the effective radiated power reduced to 11 kilowatts. This STA is necessary as outlined in the Commission's letters dated March 1, 1991 and March 7, 1991.

The explanation detailed in your attorney's March 12, 1991 letter fails to demonstrate due diligence in implementing construction permit BPH-890217IC. The request for STA appears to be centered around economic considerations and

EXHIBIT Y

FCC LETTER
DENYING STA EXTENSION
AND ORDERING STA OPERATION TO CEASE

JANUARY 24, 1992

FCC MAIL SECTION
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

JAN 29 9 34 AM '92

24 JAN 1992

IN REPLY REFER TO:
8920-MJF

Mr. Mark S. Litton
M.M. Group, Inc.
Radio Station WCFL(FM)
1150 Morse Road, #300
Columbus, OH 43229

In re: WCFL(FM); Morris, Illinois
M.M. Group, Inc.
STA

Dear Mr. Litton:


This is in reference to your attorney's letter dated January 2, 1992 requesting another extension of the special temporary authority (STA) which was last granted by Commission letter dated November 13, 1991 and the results of the inspection of WCFL(FM)'s facilities by the FCC's Chicago Field Office (FOB) on January 16, 1992.

It has been determined that WCFL(FM) is operating in violation of the Commission's STA as initially granted on March 23, 1991. The initial STA and all of the extensions (March 28, 1991, May 21, 1991, August 12, 1991, and November 13, 1991) authorized WCFL(FM) to operate with the facilities specified in construction permit BPH-890217IC except with the effective radiated power reduced to 11.0 kilowatts. The Chicago Field Office's inspection revealed the following:

- (i) WCFL(FM) was operating with 23.83 kilowatts which is in excess of the 11 kilowatts authorized by the STA,
- (ii) WCFL(FM) was operating with an omni-directional antenna (Continental G5CPS-6AC) rather than the directional pattern authorized by Construction Permit BPH-890217IC, and
- (iii) WCFL(FM) failed to cease operation by remote control when the remote control equipment became inoperative.

In addition, the Commission has received complaints of interference to other broadcast stations.

Accordingly, since you are operating over power and in violation of the parameters of the STA, your January 2, 1992 request for an extension of the STA IS HEREBY DENIED and your STA IS HEREBY CANCELLED. This action is taken pursuant to 47 C.F.R. § 73.1635(b). Therefore, WCFL(FM) must cease STA operation immediately.

Sincerely,

Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

cc: Haley, Bader & Potts
EIC, Chicago, IL

EXHIBIT Z

FCC LETTER
DENYING PROGRAM TEST AUTHORITY

FEBRUARY 4, 1992

254
FCC MAIL SECTION

FEB 7 10 11 AM '92

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20554

4 FEB 1992

IN REPLY REFER TO:
8920-MJF

DISPATCHED BY
Mr. Mark S. Litton
M.M. Group, Inc.
Radio Station WCFL (FM)
7001 Discovery Blvd.
Dublin, OH 43017

In re: WCFL (FM), Morris, Illinois
M.M. Group, Inc.
BLH-920131KB
Program Test Authority

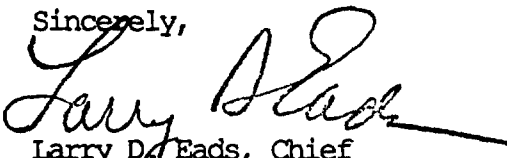
Dear Mr. Litton:

This letter is in reference to your above-captioned application for license and your request for program test authority filed January 31, 1992. Your license application was filed to cover construction permit BPH-890217IC which was granted March 27, 1990. A modification of construction permit application to extend the expiration date was granted October 4, 1991 and has an expiration date of April 4, 1992.

An engineering study of your license application has revealed that the measured directional antenna pattern of the Continental Electronics G5CPM-8C-HW-DA-SP antenna exceeds the directional antenna radiation pattern as authorized by construction permit BPH-890217IC. Specifically, the extension beyond the authorized directional antenna pattern occurs between 340° True to 30° True and between 210° True to 290° True. An example of this extension based on the authorized construction permit parameters occurs along the 280° True azimuth where the authorized relative field factor is 0.882 and the effective radiated power (ERP) is 38.9 kilowatts. The relative field factor and the ERP listed in the license application for the measured directional antenna radiation pattern are 0.986 and 48.6 kilowatts, respectively. Therefore, along the 280° True azimuth your authorized ERP is exceeded by 9.7 kilowatts. This is in violation of 47 C.F.R. § 73.1690(b)(1).

Accordingly, since you did not construct in accordance with the terms and conditions of your construction permit, your request for program test authority IS HEREBY DENIED, pursuant to 47 C.F.R. § 73.1620(b). This action is taken pursuant to 47 C.F.R. § 0.283.

Sincerely,


Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

cc: Haley, Bader & Potts
Mueller Broadcast Design
EIC, Chicago, IL

EXHIBIT AA

**AMENDMENT TO APPLICATION FOR
MODIFICATION OF CONSTRUCTION PERMIT
FOR STATION WCFL (FM),
MORRIS, ILLINOIS
BMPH-9202051A,
MODIFYING BPH-8902171C**

MF

LAW OFFICES

HALEY, BADER & POTTS

SUITE 600

2000 M STREET, N.W.

WASHINGTON, D.C. 20036-3374

(202) 331-0606

TELECOPIER (202) 296-8679

MICHAEL H. BADER
WILLIAM J. BYRNES
JOHN CRIGLER
JAMES E. DUNSTAN
JOHN WELLS KING
THEODORE D. KRAMER
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MARY A. McREYNOLDS
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MARY PRICE TAYLOR
Counsel

WILLIAM J. POTTS, JR.
RICHARD M. RIEHL
SUSAN H. ROSENBAU
DAWN M. SCIARRINO (NY)
LEE W. SHUBERT
HENRY A. SOLOMON
RICHARD H. STRODEL
JAMES M. TOWARNICKY
KATELEEN VICTORY
MELODIE A. VIRTUE

LARRY D. SUMMERVILLE
BROADCAST ANALYST

ANDREW G. HALEY
(1904-1966)

February 7, 1992

Ms. Donna R. Searcy
Secretary
Federal Communications Commission
1919 M Street, NW
Washington, DC 20554

RECEIVED

FEB - 7 1992

FEDERAL COMMUNICATIONS COMMISSION

RECEIVED

FEB - 7 1992

AMENDMENT

FEB 10 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Please amend the pending application (FCC Form 302), filed January 31, 1992, of M.M. Group, Inc., to cover construction permit (File No. BPH-890217IC) for FM Broadcast Station WCFL. The application should be amended in the following respects:

Re Engineering Report: Please add the

Mueller Broadcast Design

613 S. LaGrange Rd
LaGrange, IL 60525

ENGINEERING AMENDMENT FOR

M. M. Group, Inc.

W C F L

Morris, Illinois

RECEIVED

FEB - 7 1992

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

This engineering amendment was prepared in support of an application for modification of directional antenna pattern (dated February 4, 1992) for WCFL (FM), Morris, Illinois. The FCC staff requested an updated Radio Frequency Radiation statement, and that information is contained in the attached page.

This engineering exhibit was prepared by me and is true and correct to the best of my knowledge and belief.

February 6, 1992


Mark A. Mueller

FEB 10 2 22 PM '92
FCC

RADIO FREQUENCY RADIATION COMPLIANCE STATEMENT

The proposed WCFL transmission system will produce a worst-case ANSI non-ionizing radiation hazard contour of 1 mw/cm^2 at 57.8 meters from the bottom antenna bay, or 85.6 meters above ground. This antenna is a half-wave-spaced unit, however, and its actual ANSI hazard contour will not extend nearly this distance down the tower. The tower is secured by a fence and/or anti-climb devices which effectively prevent the public from having access to the tower. Warning signs are posted to warn workers of the potential hazard on the tower near the antenna.

The power of the station will be reduced to that necessary to protect workers who must remain inside the hazard area for longer than the allowed time. This power reduction may include cessation of operation during periods when workers must be near the antenna itself.

The 115 dBu blanketing contour of the station will extend a maximum of 2.8 KM from the antenna. The applicant agrees to mitigate all complaints of blanketing interference traceable to the proposed facility to the best of available filter technology. The applicant further agrees to cooperate in the resolution of other interference complaints to the extent deemed necessary.

EXHIBIT BB

FCC LETTER
GRANTING PROGRAM TEST AUTHORITY

FEBRUARY 7, 1992

FCC MAIL SECTION

FEDERAL COMMUNICATIONS COMMISSION

WASHINGTON, D.C. 20554

FEB 12 9 03 AM '92

February 7, 1992

IN REPLY REFER TO:

8920-MJF

Mr. Mark S. Litton
M.M. Group, Inc.
Radio Station WCFL(FM)
P.O. Box 1270
Powell, OH 43065

In re: WCFL(FM), Morris, Illinois
M.M. Group, Inc.
BMPH-920205IA
BLH-920129KB (formerly BLH-920131KB)
Special Temporary Authority

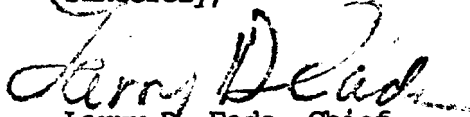
Dear Mr. Litton:

This letter is in reference to (i) your above-captioned application for modification of construction permit to revise WCFL(FM)'s authorized directional antenna radiation pattern to the pattern specified in the above-captioned application for license, (ii) your attorney's request for special temporary authority (STA) filed February 5, 1992 to operate WCFL(FM) with the facilities specified in the above-captioned application for modification of construction permit until your modification application is granted, and (iii) your request for program test authority.

An engineering review of the application for modification of construction permit reveals that it is tenderable and acceptable for filing. Accordingly, the application for modification of construction permit BMPH-920205IA IS HEREBY GRANTED.

Authority IS HEREBY GRANTED to conduct program test operation with an FM directional antenna in accordance with the terms and conditions of your construction permit (BMPH-920205IA) and the provisions of Section 73.1620 of the Commission's Rules pending further action on your license application. The effective radiated power is 50.0 kilowatts (H & V) and the transmitter power output is 16.0 kilowatts. Your antenna supporting structure must be painted and lighted in accordance with paragraphs 1, 3, 4, 13 and 21 of FCC Form 715. Your attorney's February 5, 1992 STA request IS HEREBY DISMISSED as moot. This action is taken pursuant to 47 C.F.R. § 0.283. Furthermore, this action does not prejudice any enforcement action the Commission may take in regard to unauthorized operation during special temporary authority. The authorization will follow under separate cover.

Sincerely,


Larry D. Eads, Chief
Audio Services Division
Mass Media Bureau

cc: Haley, Bader & Potts
Mueller Broadcast Design
EIC, Chicago, IL

EXHIBIT CC

**PHOTOGRAPHS OF THE
WCFL (FM)
TOWER AND TRANSMITTER BUILDING
MORRIS, ILLINOIS
(DEPICTING THE ABSENCE OF A FENCE,
ANTI-CLIMB DEVICES OR WARNING SIGNS)**